

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number

A9845

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on _____

Application Number
10/758,501

Filed
January 16, 2004

Confirmation Number: 6340
First Named Inventor
Donald Edward BENSON

Signature
Typed or
printed name

Art Unit
2161

Examiner
Brent S. STACE

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a Notice of Appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

- ☒ The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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46159

CUSTOMER NUMBER

I am the

- ☐ applicant/inventor.

/Ryan M. Corbett/

Signature

- ☐ assignee of record of the entire interest. See 37 CFR 3.71.
☐ Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

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July 21, 2011

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

- ☒ *Total of 1 form is submitted.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: A9845

Donald Edward BENSON, et al.

Appln. No.: 10/758,501

Group Art Unit: 2161

Confirmation No.: 6340

Examiner: Brent S. STACE

Filed: January 16, 2004

For: METHOD AND APPARATUS FOR ENTITY REMOVAL FROM A CONTENT
MANAGEMENT SOLUTION IMPLEMENTING TIME-BASED FLAGGING FOR
CERTAINTY IN A RELATIONAL DATABASE ENVIRONMENT

PRE-APPEAL BRIEF REQUEST FOR REVIEW

MAIL STOP AF - PATENTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to the Pre-Appeal Brief Conference Pilot Program, and further to the Examiner's Final Office Action dated April 21, 2011, Applicant files this Pre-Appeal Brief Request for Review. This Request is also accompanied by the filing of a Notice of Appeal.

Claims 1-4 and 7-20 are all the claims pending in the application, and remain rejected on the prior art grounds of record.

I. Claim Rejections under 35 U.S.C. § 103(a)

Claims 1-4 and 7-20 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,564,215 to Hsiao et al. (hereinafter "Hsiao") in view of U.S. Patent Application Publication No. 2003/0069902 to Narang et al. (hereinafter "Narang"). Applicant respectfully traverses this rejection and respectfully requests that the Examiner reconsider the rejection at least in view of the following comments.

Even if the Hsiao and Narang references are combined in the manner proposed by the Examiner, the combined references fail to teach or suggest all of the elements of claim 1. In

particular, Hsiao and Narang fail to teach or suggest “identifying a version of the item based on a first time” and “identifying a version of the object based on a second time when the request affects the object,” as recited in claim 1. The Examiner relies on the File_Version table of Hsiao (Fig. 3) for teaching this limitation. However, although that File_Version table may include version information related to particular files, it does not “identify a version of the item...wherein the item comprises a library identifier to a managed resource which is external to a library.” The File_Version table of Hsiao also does not teach or suggest “identifying a version of the object based on a second time...wherein identifying the version of the object comprises retrieving a timestamp and an identifier for the object.”

With respect to claim 1, the Examiner points to col. 6, lines 50-66 of Hsiao as allegedly teaching both “identifying a version of the item” and “identifying a version of the object” (see page 5 of the Office Action). Applicant, however, respectfully notes that the File_Version table appears to store information about particular files and thus, at best, may store version information related to particular files. Hsiao does not teach or fairly suggest how this information may be used to identify a version of a file (alleged object), much less “identifying a version of the item based on a first time,” where “the item comprises a library identifier to a managed resource which is external to a library.”

For example, FIG. 3 of Hsiao, reproduced below for the Examiner’s convenience, shows the various types of data that are stored in the File_Version table. Applicant respectfully submits that it is unclear how the data stored in FIG. 3 meets the claim limitations of “identifying a version of the item based on a first time,” where “the item comprises a library identifier to a managed resource which is external to a library.” The only version information stored in the table, VERSION_NUM, appears to relate to a version of the file (alleged object), and not to any item. Accordingly, Applicant respectfully submits that Hsiao does not teach or fairly suggest “identifying a version of the item based on a first time.”

FILE_VERSION TABLE

<u>ATTRIBUTE</u>	<u>DEFINITION</u>
FSID	FILE SYSTEM ID
INODE	INODE NUMBER OF THE FILE
CELLID	CELL ID
UPDATER	USERID
PENDING_FLAG	FILE STATUS FLAG
LAST_MOD_TIME	LAST MODIFICATION TIME OF THE FILE WHEN LINKED
UPDATE_TIMESTAMP	TIME THE FILE IS UPDATED
BACKUP_SEQUENCE_NUMBER	FOR GARBAGE COLLECTION
URL	FILE IDENTIFIER
ARCHIVE_FILE_NAME	ARCHIVE FILE NAME
UNIQUE_RECOVERY_ID	UNIQUE IDENTIFIER EMBEDDED IN
URL+	
VERSION_NUM	FILE VERSION NUMBER

Additionally, as mentioned above, Applicant respectfully submits that the Examiner does not explain, and the Hsiao reference does not teach or fairly suggest, how information stored in the File_Version table may be used for “identifying a version of the object based on a second time when the request affects the object, wherein identifying the version of the object comprises retrieving a timestamp and an identifier for the object,” as required by the claim.

In the Advisory Action dated July 11, 2011, the Examiner continues to point to the File_Version table as teaching “identifying a version of the item based on a first time,” but does not address the argument that the File_Version table contains information that relates to a version of the file (alleged object), and not to any item. The Examiner also fails to explain how the times in the File_Version table may be used to identify a version of the object based on a second time when the request affects the object.

Accordingly, Applicant respectfully submits that Hsiao does not teach or fairly suggest these claim features. Furthermore, the disclosure of Narang does not cure these deficiencies of Hsiao.

Applicant further respectfully disagrees with the Examiner’s assertion that Hsiao teaches, “rolling back the request,” and “the rolling back the request includes removing an entry for the

request from a library server transaction table,” as recited in claim 1. The Examiner points to col. 9, lines 30-33 of Hsiao, however, Applicant respectfully notes that Hsiao merely describes deleting a record for a file from the File_Version table, when there is a Reset_Pending request (see col. 9, lines 30-33 of Hsiao). According to Hsiao, the File_Version table includes information about file versions (see col. 6, line 65 through col. 7, line 4 of Hsiao). The File_Version table does not include entries for requests/information about library server transactions, and accordingly, a person of ordinary skill in the art would understand that deleting a record for a file from the File_Version table cannot be the same as “removing an entry for the request from a library server transaction table.”

Accordingly, Applicant respectfully submits that Hsiao does not teach or fairly suggest this claim feature. Furthermore, the disclosure of Narang does not cure this deficiency of Hsiao.

Finally, Applicant respectfully notes that the Examiner concedes that Hsiao does not teach “when the request is found invalid,” as recited in claim 1, however, the Examiner asserts that Narang teaches this feature. Applicant respectfully disagrees and respectfully submits that Narang does not teach or fairly suggest this feature.

According to Narang, when the last modification time stamp of an object does not match with the last modification time stamp for the latest committed version of the object, an error may be generated to indicate that the handle refers to stale content in the object (see paragraph 0023 of Narang). Thus, Applicant respectfully submits that Narang, at best, describes determining that a handle refers to invalid content in an object, rather than a request being found invalid, as required by the claim.

In the Advisory Action, the Examiner asserts that accessing an object/file is the same as a request for the object/file. The Examiner, however, appears to ignore the claim language that recites, “receiving a request that affects an item.” Applicant respectfully submits that accessing an object/file is not the same as the claimed request that affects an item, which comprises a library identifier to a managed resource which is external to a library.

At least for these reason, Applicant respectfully submits that independent claim 1 is patentable over the combination of Hsiao and Narang.

Independent claims 9, 10, and 18-20 recite features similar to the features discussed above with respect to claim 1. Accordingly, Applicant respectfully submits that claims 9, 10, and 18-20 are patentable over the combination of Hsiao and Narang at least for the reasons discussed above with respect to claim 1.

Applicant further submits that claims 2-4, 7, 8, and 11-17 are patentable over the combination of Hsiao and Narang at least by virtue of their dependency on claims 1 or 10.

Respectfully submitted,

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